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ATTORNEYS FOR DEFENDANTS

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CARMELO MILLAN, individually, and on Behalf  
of All Other Persons Similarly Situated,  
Plaintiffs,

vs.

CITIGROUP, INC.,  
CITIGROUP TECHNOLOGY, INC.

Defendants.

Civil Action No. 07-CIV-3769

*Electronically Filed*

**AFFIDAVIT OF SARAH PONTOSKI**

STATE OF PENNSYLVANIA     )  
  ) ss.  
COUNTY OF PHILADELPHIA    )

SARAH PONTOSKI, being duly sworn, deposes and says:

1. I am associated with the law firm of Morgan, Lewis & Bockius LLP, attorneys for the Defendants, Citigroup Inc. and Citigroup Technology, Inc., in this proceeding. I am resident in the firm's Philadelphia office, located at 1701 Market Street, Philadelphia, Pennsylvania 19103 and submit this affidavit in support of Defendants' Motion to Strike Peter Garza's Declaration.

2. Attached as Exhibit A is a true and correct copy of a letter from Defendants' counsel to Plaintiff's counsel, dated November 8, 2007, regarding the scope of discovery defined by this Court.

3. Attached collectively as Exhibit B are true and correct copies of correspondence from Defendants' counsel to Plaintiff's counsel, dated November 5, 2007, November 14, 2007, November 16, 2007 and November 28, 2007, regarding Plaintiff's deposition.

4. Attached as Exhibit C is a true and correct copy of a letter from Defendants' counsel to Plaintiff's counsel, dated December 7, 2007, regarding Plaintiff's deposition.

5. Attached as Exhibit D is a true and correct copy of a letter from Plaintiff's counsel to Defendants' counsel, dated February 22, 2008, regarding the deposition of Paul Holder.

6. Attached as Exhibit E is a true and correct copy of a letter from Plaintiff's counsel to Defendants' counsel, dated March 14, 2007, regarding Plaintiff's response to Defendants' motion for summary judgment.

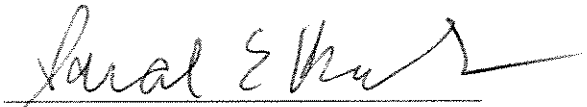
7. Attached as Exhibit F is a true and correct copy of Paul Garza's Declaration.

8. Attached as Exhibit G is a true and correct copy of Paul Garza's Curriculum Vitae.

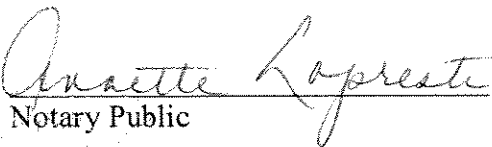
9. This affidavit is based upon my own personal knowledge, and/or upon my review of what I believe to be true and correct copies of documents kept in the normal course of business by Defendants.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Philadelphia, Pennsylvania  
April 1, 2008

  
Sarah Pontoski

Sworn to and subscribed before  
me this 1st day of April, 2008.

  
Notary Public

